

REMARKS

Claims 1-21, 23 and 25-31 are pending in this application. By this Amendment, claims 1, 7, 16, 23 and 25-27 are amended, and claims 28-31 are added. No new matter is added by these amendments and new claims. Claims 22 and 24 are canceled without prejudice to or disclaimer of the subject matter recited therein. In particular, the features of dependent claims 22 and 24 have been incorporated into independent claims 1 and 27. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Grant at the interview held June 20, 2008 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

Applicant appreciates the indication of allowable subject matter in claims 17 and 24-26.

The Office Action objects to claims 6, 7 and 16 for informalities. Claims 7 and 16 have been amended to correctly spell "states." However, Applicant asserts that "discernible" from claim 6 is spelled correctly.

The Office Action rejects claims 1-10, 15, 16, 18, 22, 23 and 27 under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. 2004/0224670 to Hull et al. (hereinafter "Hull"); and claims 11-14 and 19-21 under 35 U.S.C. 103(a) over Hull in view of U.S. Patent Application Publication No. 2002/0002056 to Kobayashi. The rejections have been rendered moot because the allowable subject matter of dependent claim 24 has been incorporated into independent claims 1 and 27.

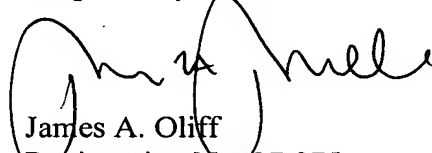
Furthermore, as agreed upon by Examiner Grant during the personal interview, new independent claim 29 should be allowable over both Hull and Kobayashi because neither

reference discloses or suggests the use of a controller that controls the light emitting state of the light emitting device in accordance with the frequency level of the signal determined by the detector.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:RHR/cxc

Attachment:
Amendment Transmittal

Date: July 16, 2008

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